

The Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

1. BRADLEY WOOLARD,  
3. ANTHONY PELAYO,  
a/k/a Raymond Jones  
5. ROBERT TABARES,  
8. TIMOTHY MANTIE,  
9. JEROME ISHAM,  
11. JOSE FELICIANO LUGO,

Defendants.

NO. CR18-217 RSM

**ORDER CONTINUING TRIAL DATE**

THE COURT, having held a Status Conference on October 8, 2020 and on August 21, 2020, and considered the remarks and objections of counsel at both Status Conferences, and considering General Orders 01-20 through 15-20 for the United States District Court for the Western District of Washington, which address measures to reduce the spread and health risks from COVID-19, all of which are incorporated herein by reference, hereby FINDS as follows:

1           1.       In light of the ongoing recommendations made by the Centers for Disease  
2 Control and Prevention (CDC), the State of Washington, and Public Health for Seattle  
3 and King County regarding social distancing measures required to stop the spread of this  
4 disease, and necessary to ensure the health and safety of all participants, it is not possible  
5 at this time to proceed with a jury trial.

6           2.       Further, because of the recommendations that individuals at higher risk of  
7 contracting this disease –including individuals with underlying health conditions,  
8 individuals age 60 and older, and individuals who are pregnant – avoid large groups of  
9 people, at this time, it would be difficult, if not impossible, to get a jury pool that would  
10 represent a fair cross section of the community.

11           3.       The nature and complexity of this particular case, which, at present,  
12 involves five defendants, seven defense counsel, and three Assistant United States  
13 Attorneys, would involve a trial of several weeks, and would require several dozen  
14 individuals gathered together in the trial courtroom.

15           As a result, the failure to grant a continuance of the trial date in this case would  
16 likely result in a miscarriage of justice, and would be detrimental to the health and safety  
17 of all participants, including the defendants, jurors, and all others who would be present  
18 in the courtroom during trial. Pursuant to 18 U.S.C. § 3161(h)(7)(A), the ends of justice  
19 served by continuing the trial in this case outweighs the best interest of the public and the  
20 defendants to a speedy trial.

21           1.       IT IS ORDERED that the period of time from June 8, 2020, up to and  
22 including June 21, 2021, shall be excludable time pursuant to 18 U.S.C. § 3161.

23           IT IS FURTHER ORDERED that:

24           2.       Trial in this matter is continued to June 21, 2021.  
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1           3.       All deadlines set forth in the Scheduling Order of July 13, 2020 (Dkt. 389)  
2 are continued, consistent with that Scheduling Order.

3  
4           DONE this 9<sup>th</sup> day of October, 2020.

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8           RICARDO S. MARTINEZ  
9           CHIEF UNITED STATES DISTRICT JUDGE

10  
11 Presented by:

12 s/Mike Lang, for

13 MIKE LANG

14 KARYN JOHNSON

15 WILL DREHER

16 Assistant United States Attorneys